



**HISTORIC LANDMARKS COMMISSION
AND
DESIGN REVIEW COMMITTEE**

Special Session

HEARING SYNOPSIS

**WEDNESDAY NOVEMBER 14, 2007
12:00 P.M. to 2:00 P.M.**

**Tower, Room 550
200 East Santa Clara Street
San José, CA**

COMMISSION MEMBERS

**EDWARD JANKE, AIA, CHAIR
PATRICIA COLOMBE, VICE CHAIR
HELENE LAVELLE SCOTT CUNNINGHAM
DANA PEAK JUDY STABILE
ERIC THACKER**

**JOSEPH HORWEDEL, DIRECTOR
DEPARTMENT OF PLANNING, BUILDING AND CODE ENFORCEMENT**

NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 277-4576 (VOICE) or (408) 998-5299 (TTY) at least two business days before the meeting.

NOTICE TO THE PUBLIC

Good afternoon, my name is **Ed Janke**, and I am the Chair of the Historic Landmarks Commission. On behalf of the Commission, I would like to welcome you to today's meeting. I will now call to order the **November 14, 2007** meeting of the Historic Landmarks Commission. Please remember to turn off your cell phones and pagers.

If you want to address the Commission, **fill out a speaker card (located at the technician's station), and give the completed card to the technician. Please include the agenda item number for reference.**

The procedure for public hearings is as follows:

- After the staff report, *applicants may make a five-minute presentation.*
- Anyone wishing to speak in favor of the proposal should prepare to come forward. After the proponents speak, anyone wishing to speak in opposition should prepare to come forward. *Each speaker will have two minutes.*
- Commissioners may ask questions of the speakers. These questions will not reduce the speaker's time allowance.
- The Commission will then close the public hearing. The Historic Landmarks Commission will take action on the item.

The procedure for referrals is as follows:

- Anyone wishing to speak on a referral should prepare to come forward. *Each speaker will have one minute.*
- Commissioners may ask questions of the speakers. These questions will not reduce the speaker's time allowance.
- The Historic Landmarks Commission will comment on the referral item.

If a Commissioner would like a topic to be addressed under one of the Good and Welfare items, please contact Planning staff in advance of the Commission meeting.

An agenda and a copy of all staff reports have been placed on the table for your convenience.

AGENDA

SESSION I: DESIGN REVIEW COMMITTEE (Noon to 12:30)

Committee Members:

Ed Janke, HLC Chair
Patricia Colombe, HLC Vice Chair
Scott Cunningham

All Present

Design Review Committee (DRC) meeting goal: Discuss project design conformance with City of San Jose Historic Design Guidelines, based on the Secretary of the Interior's Standards for the Treatment of Historic Properties

Projects for review:

1. **Ryland Park swimming pool rehabilitation.** The proposed public project consists of addition of a wheelchair access ramp and a concrete platform to the exterior of the existing wading pool. The proposed ramp would ascend to the height of the existing pool walls and then descend into the pool. The platform would extend around fifty percent of the pool's perimeter. The project includes restoration of the existing historic pool wall, including the ceramic tilework. The project site is located in Ryland Park, a 3.1-acre City park located between North 1st Street and North San Pedro Street. It is bounded on the south by a private street (Ryland Park Drive), and by a housing development to the north. The draft historic report included information that the 1927 park and wading pool were designed by prominent local architect Charles S. McKenzie, and that the site would appear to qualify as a Structure of Merit. The project was presented to DRC in September 2007. Subsequent to that meeting, the historic report was revised to indicate that the pool qualifies as a Candidate City Landmark. The historic report and City of San Jose Historic Resources Inventory (HRI) designation were presented to the full Historic Landmarks Commission in October 2007. HLC designated the pool as a Candidate City Landmark and requested that the project return to DRC for a recommendation on the organization and sectioning of the proposed concrete platform. The revised historic evaluation for the project is available on the Parks, Recreation, and Neighborhood Services Department's web site: <http://www.sanjoseca.gov/prns/Aquatics/ryland.asp>

Fred Sabour, Senior Mechanical Engineer with the Public Works Department, was present to provide additional project construction details and answer questions. Construction items discussed included the Batchelder tiles, the access ramp, and the outside concrete wall. A recommendation was made to design joints on the new concrete wall similar in rhythm to the slab and/or tiles, but more simple and perhaps less frequent than the original tiles, in order to break-up the uniformity of the wall and to be more visually compatible with the historic pool wall. Based on the discussion and explanation provided, Commissioners indicated the project did conform with the Historic Design Guidelines.

Tina Morrill of the CPAC for Ryland Pool and Suzanne Wolf, Superintendent of Parks, Recreation and Neighborhood Services Department, were present and requested feedback on having the new tile on the platform be colored as opposed to matching the current black tiles. They wanted to assure adding a different colored tile would not affect the integrity of the historic fabric and thus disqualify the pool as a Candidate City Landmark. Staff indicated changing the color of the new tile was a minor detail of the code required new construction, and as such would not affect the significance of the structure.

SESSION II: HISTORIC LANDMARKS COMMISSION

1. ROLL CALL

Commissioners Janke, Colombe, Cunningham and Peak present. Commissioners Lavelle, Stabile and Thacker absent.

2. REFERRALS FROM CITY COUNCIL, BOARDS, COMMISSIONS OR OTHER AGENCIES:

- a. **Report on Funding Opportunity Discussions for BART Station Entrance in the Bank of America Building.** City Landmark No. HS84-27, located on the southeast corner of South First and Santa Clara Streets (12 South First Street) in the Downtown Commercial National Register Historic District.

Staff Recommendation: Historic Landmarks Commission to forward a letter regarding Commission discussion of the project to the City Council.

Continued from 10-3-07 and 11-07-07

Commissioners were asked to provide comment on the draft letter on the BART Station Entrance in the Bank of America Building. A suggestion was made that the submittal Memorandum include language that the Commission has some serious concerns about potential impacts to the historic fabric of the BofA building, and that the Commission opinion was divided on the issue of locating the station entrance within the BofA building or Western Dental building. Draft letter stating that the project came to the Historic Landmarks Commission outside of a standard process; that the information required to allow the Commission to make comment has not yet been developed;; and that the Commission will be involved as the process moves forward; approved.

STAFF RECOMMENDATION ADOPTED (4-0-3, Labelle, Stabile, Thacker absent)

- b. **DEIR for Coleman Avenue/Autumn Street Improvements** to widen Coleman Avenue to six lanes between Hedding Street and Autumn Street, a distance of approximately 0.8 mile (PP06-166). The segment of Coleman Avenue is currently four lanes. North of Hedding Street, Coleman Avenue has recently been widened to six lanes as part of the I-880/Coleman Avenue Interchange Improvement Project. The project will widen, partially realign, and extend Autumn Street between Coleman Avenue and Park Avenue, a distance of approximately 1.1 miles. Autumn Street currently varies from two to three lanes and terminates north of Julian Street.

Staff Recommendation: Historic Landmarks Commission to provide comment and authorize the HLC Chair to sign a DEIR comment letter on behalf of the commission, to the Director of Planning, Building and Code Enforcement.

Continued from 11-07-07

Staff reported this proposed project anticipates the widening of Coleman Avenue to six lanes between Hedding and Autumn. The DEIR summarized the significance of the 31 structures that would be impacted by the project. Of the 31 structures, 17 were evaluated for historic significance. Two have been identified as historic resources for the purposes of CEQA: Foreman's Arena located at 447 S. St. John Street and Master Metal Works at 495 Emory Street. In addition to these two structures, eight other structures were identified as not eligible for the California Register, but as Structures of Merit. Discussion ensued regarding mitigation alternatives both in regard to the structures and roadway alignment.

Commissioners noted that the DEIR should include: an evaluation of the houses that would be impacted by the realignment; the San Jose International Airport Safety Zones map, adopted by the Airport Land Use Commission (ALUC) in September 1992 analysis in the feasibility analysis for the modified Coleman Avenue alignment alternative; and an alternative to avoid impacts to Master Metal Works by widening the west side of Coleman Avenue.

The comment period for this project has been extended and, therefore, the Commission can further consider the DEIR comment letter at the December 5, 2007 meeting.

STAFF RECOMMENDATION ADOPTED (4-0-3, Labelle, Stabile, Thacker absent)

- c. **Draft Mitigated Negative Declaration (MND) for the Carlisle project, file no. H07-008.** Site Development Permit for a high-rise mixed-use project consisting of 347 dwelling units, approximately 11,500 square feet of commercial space, and underground and podium-level parking on a 1.3-acre site.

Staff Recommendation: Historic Landmarks Commission to provide comment and authorize the HLC Chair to sign a comment letter on behalf of the commission, to the Director of Planning, Building and Code Enforcement.

Continued from 11-07-07

Project architects provided a simulation depicting anticipated shadow and shade projections from the proposed high-rise Carlisle project on two historic structures, the Fallon House and Peralta Adobe. The simulation revealed the Fallon House would most significantly be impacted by shade resulting from the high-rise between 1:00 pm and 3:00 pm during winter months.

Commissioners noted that the tower appears to shade the entire site of the Peralta Adobe, whereas the existing trees and development appear to shade mostly the Adobe building itself. Discussion ensued regarding how shade impacted the buildings as historic resources, including heating and cooling requirements for the Fallon House and Adobe sites, which are used as educational sites. Staff indicated there is no policy addressing shadow and shade other than as it applies to open space. Commission discussion concluded that the MND accurately described the shade and shadow impacts of the proposed project as less than significant.

Commissioners stated that designing the project massing to respond to the massing of the area, would have meant placing tower at the northeast corner of Carlisle St, and Notre Dame Ave., where existing development is more industrial and dense, rather than the

southwest corner of W. St. John St. and Almaden Ave. adjacent to these low scale and density early City Landmark sites.

The project architects stated that early discussions with the community, as well as the location of the pool deck and enlivened uses on Almaden Ave., had influenced the decision to site the tower on St. John St. and Almaden Ave.

Commissioners stated that early massing and shadow studies should be included in preliminary and development permit review of high-rise development adjacent to City Landmarks and Districts coming before the HLC.

STAFF RECOMMENDATION ADOPTED (4-0-3, Labelle, Stabile, Thacker absent)

3. PETITIONS AND COMMUNICATIONS

Public comments to the Historic Landmarks Commission on non-agendized items. Each member of the public may address the Commission for up to two minutes. The Commission cannot take any formal action without the item being properly noticed and placed on an agenda. In response to public comment, the Historic Landmarks Commission is limited to the following options:

1. Responding to statements made or questions posed by members of the public; or
2. Requesting staff to report back on a matter at a subsequent meeting; or
3. Directing staff to place the item on a future agenda.

a. Public Comment

4. ADJOURNMENT OF HISTORIC LANDMARKS COMMISSION HEARING

The meeting was adjourned at 2:40 p.m.

2007 HISTORIC LANDMARKS COMMISSION MEETING SCHEDULE

DATE	TIME	TYPE OF MEETING	LOCATION
No Meeting in January		Regular Meeting	
January 17, 2007	12:00 p.m.	Design Review Subcommittee	Room T-550
January 26, 2007	12:00 p.m. – 4:30 p.m.	HLC Retreat	Room T-1654
February 7, 2007	6:00 p.m.	Regular Meeting	Room W118/119
February 21, 2007	12:00 p.m.	Special Meeting/DRC Subcommittee	Room T-550
March 7, 2007	6:00 p.m.	Regular Meeting	Room W118/119
March 21, 2007	12:00 p.m.	Special Meeting	Room T-550
April 4, 2007	5:00 p.m.	Special Session	Room T-332
April 4, 2007	6:00 p.m.	Regular Meeting	Room W118/119
April 18, 2007	12:00 p.m.	Design Review Subcommittee	No Meeting
May 2, 2007	5:30 p.m.	Regular Meeting (Early Start Time)	Room W118/119
May 16, 2007	12:00 p.m.	Design Review Subcommittee	Room T-550
June 6, 2007	6:00 p.m.	Regular Meeting	Room W118/119
June 20, 2007	12:00 p.m.	Design Review Subcommittee	Room T-550
July 11, 2007	6:00 p.m.	Regular Meeting	Room W120
July 18, 2007	12:00 p.m.	Design Review Subcommittee	Room T-550
August 1, 2007	6:00 p.m.	Regular Meeting	Room W118/119
August 15, 2007	12:00 p.m.	Design Review Subcommittee	Room T-550
September 5, 2007	6:00 p.m.	Regular Meeting	Room W118/119
September 19, 2007	12:00 p.m.	Design Review Subcommittee	Room T-550
October 3, 2007	6:00 p.m.	Regular Meeting	Room W118/119
October 17, 2007	12:00 p.m.	Cancelled	Room T-550
November 2, 2007	11:30 a.m.	Retreat	15480 Union Ave.
November 7, 2007	6:00 p.m.	Regular Meeting	Room W118/119
November 14, 2007	12:00 p.m.	Special Meeting/DRC Subcommittee	Room T-550
December 5, 2007	6:00 p.m.	Regular Meeting	Room W118/119
December 19, 2007	12:00 p.m.	Design Review Subcommittee	Room T-550
January 9, 2008	6:00 p.m.	Regular Meeting	Room W118/119

HISTORIC LANDMARKS AGENDA ON THE WEB:
<http://www.sanjoseca.gov/planning/hearings/historic.asp>

CITY OF SAN JOSÉ CODE OF CONDUCT FOR PUBLIC MEETINGS IN THE COUNCIL CHAMBERS AND COMMITTEE ROOMS

The Code of Conduct is intended to promote open meetings that welcome debate of public policy issues being discussed by the City Council, Redevelopment Agency Board, their Committees, and City Boards and Commissions in an atmosphere of fairness, courtesy, and respect for differing points of view.

1. Public Meeting Decorum:

- a) Persons in the audience will refrain from behavior which will disrupt the public meeting. This will include making loud noises, clapping, shouting, booing, hissing or engaging in any other activity in a manner that disturbs, disrupts or impedes the orderly conduct of the meeting.
- b) Persons in the audience will refrain from creating, provoking or participating in any type of disturbance involving unwelcome physical contact.
- c) Persons in the audience will refrain from using cellular phones and/or pagers while the meeting is in session.
- d) Appropriate attire, including shoes and shirts are required in the Council Chambers and Committee Rooms at all times.
- e) Persons in the audience will not place their feet on the seats in front of them.
- f) No food, drink (other than bottled water with a cap), or chewing gum will be allowed in the Council Chambers and Committee Rooms, except as otherwise pre-approved by City staff.
- g) All persons entering the Council Chambers and Committee Rooms, including their bags, purses, briefcases and similar belongings, may be subject to search for weapons and other dangerous materials.

2. Signs, Objects or Symbolic Material:

- a) Objects and symbolic materials, such as signs or banners, will be allowed in the Council Chambers and Committee Rooms, with the following restrictions:
 - No objects will be larger than 2 feet by 3 feet.
 - No sticks, posts, poles or other such items will be attached to the signs or other symbolic materials.
 - The items cannot create a building maintenance problem or a fire or safety hazard.
- b) Persons with objects and symbolic materials such as signs must remain seated when displaying them and must not raise the items above shoulder level, obstruct the view or passage of other attendees, or otherwise disturb the business of the meeting.
- c) Objects that are deemed a threat to persons at the meeting or the facility infrastructure are not allowed. City staff is authorized to remove items and/or individuals from the Council Chambers and Committee Rooms if a threat exists or is perceived to exist. Prohibited items include, but are not limited to: firearms (including replicas and antiques), toy guns, explosive material, and ammunition; knives and other edged weapons; illegal drugs and drug paraphernalia; laser pointers, scissors, razors, scalpels, box cutting knives, and other cutting tools; letter openers, corkscrews, can openers with points, knitting needles, and hooks; hairspray, pepper spray, and aerosol containers; tools; glass containers; and large backpacks and suitcases that contain items unrelated to the meeting.

CITY OF SAN JOSÉ CODE OF CONDUCT FOR PUBLIC MEETINGS IN THE COUNCIL CHAMBERS AND COMMITTEE ROOMS (CONT'D)

3. Addressing the Council, Redevelopment Agency Board, Committee, Board or Commission:
- a) Persons wishing to speak on an agenda item or during open forum are requested to complete a speaker card and submit the card to the City Clerk or other administrative staff at the meeting.
 - b) Meeting attendees are usually given two (2) minutes to speak on any agenda item and/or during open forum; the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate. Applicants and appellants in land use matters are usually given more time to speak.
 - c) Speakers should discuss topics related to City business on the agenda, unless they are speaking during open forum.
 - d) Speakers' comments should be addressed to the full body. Requests to engage the Mayor, Council Members, Board Members, Commissioners or Staff in conversation will not be honored. Abusive language is inappropriate.
 - e) Speakers will not bring to the podium any items other than a prepared written statement, writing materials, or objects that have been inspected by security staff.
 - f) If an individual wishes to submit written information, he or she may give it to the City Clerk or other administrative staff at the meeting.
 - g) Speakers and any other members of the public will not approach the dais at any time without prior consent from the Chair of the meeting.

Failure to comply with this Code of Conduct which will disturb, disrupt or impede the orderly conduct of the meeting may result in removal from the meeting and/or possible arrest.